**MIDDLETOWN BOROUGH**

**DAUPHIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2022-1395**

**AN ORDINANCE OF THE BOROUGH OF MIDDLETOWN, DAUPHIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 210, PROPERTY MAINTENANCE, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION, AS THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF MIDDLETOWN.**

**WHEREAS,** pursuant to the Borough Code of the Commonwealth of Pennsylvania, including but not limited to Sections 1202(4), 1202(5), 1202(6), 1202(10), 1202(11), and 1202(24), the Borough of Middletown is authorized to regulate the conditions and maintenance of all property, buildings, and structures within the Borough; *and*

**WHEREAS,** Chapter 210 (Property Maintenance) of the Borough Code addresses property maintenance within the Borough of Middletown; *and*

**WHEREAS,** the Borough Council wishes to amend Chapter 210 (Property Maintenance) of the Middletown Code to adopt the 2018 edition of the International Property Maintenance Code as the property maintenance code of the Borough of Middletown.

**NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED,** by the authority of the Borough Council of the Borough of Middletown, Dauphin County, Pennsylvania, that the Middletown Code, Part II (General Legislation), Chapter 210 (Property Maintenance) is hereby amended in accordance with this Ordinance.

1. **AMENDMENTS.** Part II (General Legislation), Chapter 210 (Property Maintenance), Section 1 (Adoption of Standards) of the Middletown Code is hereby amended as follows:
	1. Section 210-1(A) of the Code is hereby amended by adding the underlined text and deleting the bracketed text:

That a certain document, one copy of which is on file in the Office of Code Enforcement of the Borough of Middletown, Dauphin County, Pennsylvania, being marked and designated as the International Property Maintenance Code, [~~2015~~] 2018 edition, as published by the International Code Council, including Appendix A, Boarding Standards, be and is hereby adopted as the Property Maintenance Code of the Borough of Middletown, Dauphin County, Pennsylvania, for regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the Office of Code Enforcement of the Borough of Middletown are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in § 210-3 of this chapter.

1. **SEVERABILITY.** If any section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of this Ordinance or Chapter 210 of the Middletown Code as a whole, or any other section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance or Chapter 210 of the Middletown Code. Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, phrase and word thereof, irrespective of the fact that any one or more of those sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.
2. **REPEALER.** All ordinances or parts of ordinances that are inconsistent herewith shall be and the same expressly are repealed.
3. **EFFECTIVE DATE.** This Ordinance shall become effective in accordance with applicable law.

**BE IT DULY ORDAINED AND ENACTED** into law this \_\_\_\_\_ day of , 2022, by the Borough of Middletown, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST: **BOROUGH COUNCIL OF THE**

 **BOROUGH OF MIDDLETOWN**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ BY:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Grace Miller Borough Council President

Borough Secretary

**AND NOW, THIS** \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022, the foregoing Ordinance is approved.

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 James H. Curry III

 Mayor

I hereby certify the foregoing Ordinance was advertised in the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022, a newspaper of general circulation in the municipality and was duly enacted and approved as set forth at the regular meeting of the municipality’s governing body held on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2022.

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 Grace Miller

 Borough Secretary